

³ Doc. 15.

Case No. 1:18-cv-113

Gwin, J.

on the merits.⁴ Objections to that R&R were due by September 29, 2020.⁵ Petitioner Jackson filed no objections.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of an R&R to which the parties have made an objection.⁶ Failure to timely object waives a party's right to appeal the magistrate's report.⁷ Where a party does not object to the R&R, a district court may adopt it without review.⁸

Additionally, this Court has examined the petition and the return and finds Jackson's habeas petition fails.

Accordingly, in light of Petitioner Jackson's decision not to object to the R&R in this case, the Court **ADOPTS** Magistrate Judge Ruiz's R&R, incorporates it as if fully restated herein, and **DENIES** Petitioner Jackson's § 2254 habeas petition.

IT IS SO ORDERED.

Dated: February 17, 2021

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁴ *Id.*

⁵ *Id.*

⁶ 28 U.S.C. § 636(b)(1).

⁷ *Thomas v. Arn*, 474 U.S. 140, 154 (1985); *Gerth v. Warden, Allen Oakwood Corr. Inst.*, 938 F.3d 821, 827 (6th Cir. 2019).

⁸ *See Thomas*, 474 U.S. at 149–50.